

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation into the Gas Market Activities of Southern California Gas Company, San Diego Gas and Electric, Southwest Gas, Pacific Gas and Electric, and Southern California Edison and their impact on the Gas Price Spikes experienced at the California Border from March 2000 through May 2001.

Investigation 02-11-040
(Filed November 21, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING
GRANTING STIPULATION RE SEMPRA ENERGY'S
PRODUCTION OF DOCUMENTS**

Southern California Edison Company (SCE) served a *subpoena duces tecum* on Sempra Energy on October 19, 2004. Sempra Energy moved to quash the subpoena on November 4, 2004. The Administrative Law Judge denied Sempra Energy's motion on December 17, 2004. (*See Administrative Law Judge's Ruling Denying Motion to Quash.*) Sempra Energy has moved the Assigned Commissioner to reconsider the Administrative Law Judge's Ruling Denying Motion to Quash Subpoena. The Administrative Law Judge's Ruling orders Sempra Energy to produce documents to SCE on or by January 28, 2005.

Sempra Energy has also moved for an order shortening the time to respond to its motion for reconsideration. SCE and Sempra Energy have agreed that, if the Administrative Law Judge's Ruling Denying Motion to Quash Subpoena is modified to provide that Sempra Energy will not be required to produce documents until 30 days after a Ruling is issued on Sempra Energy's

motion for reconsideration, then there will be no need to shorten the time for SCE to respond to the motion for reconsideration.

IT IS, THEREFORE, RULED that:

1. Ordering Paragraph 3 of the Administrative Law Judge's Ruling Denying Motion To Quash is modified to read as follows: "Sempra Energy shall complete its review of the documents and provide Edison with copies of any identified documents within 30 days of the issuance of a ruling on the Motion of Non-Party Sempra Energy for Reconsideration by Assigned Commissioner of Administrative Law Judge's Ruling Denying Motion to Quash Subpoena or as otherwise ordered by the Assigned Commissioner, assigned Administrative Law Judge, or a Law and Motion Judge.

2. The Motion of Non-Party Sempra Energy for an Order Shortening the Time to Respond to its Motion for Reconsideration by Assigned Commissioner of Administrative Law Judge's Ruling Denying Motion to Quash Subpoena, or, in the Alternative, to Stay the Administrative Law Judge's Ruling is deemed withdrawn.

Dated January 27, 2005, at San Francisco, California.

/s/ JOHN E. THORSON

John E. Thorson
Law and Motion Judge
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail, and by electronic mail to the parties to which an electronic mail address has been provided, this day served a true copy of the original attached Administrative Law Judge's Ruling Granting Stipulation Re Sempra Energy's Production of Documents on all parties of record in this proceeding or their attorneys of record.

Dated January 27, 2005, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.